

To: Tenley, Clancy[Tenley.Clancy@epa.gov]; Allen, HarryL[Allen.HarryL@epa.gov]; Guria, Peter[Guria.Peter@epa.gov]
Cc: Manzanilla, Enrique[Manzanilla.Enrique@epa.gov]
From: Keener, Bill
Sent: Sat 8/15/2015 6:26:47 PM
Subject: RE: Draft EPA press update for today

Super...thanks, guys.

Bill Keener

Office of Public Affairs

U.S. EPA - Region 9

San Francisco, CA

Phone: (415) 972-3940

From: Tenley, Clancy
Sent: Saturday, August 15, 2015 11:25 AM
To: Keener, Bill; Allen, HarryL; Guria, Peter
Cc: Manzanilla, Enrique
Subject: Re: Draft EPA press update for today

Steve Calanog sending to Melissa right now. I told her it's coming.

From: Keener, Bill
Sent: Saturday, August 15, 2015 11:22 AM
To: Allen, HarryL; Guria, Peter; Tenley, Clancy
Cc: Manzanilla, Enrique
Subject: FW: Draft EPA press update for today

Ok, so see below for missing info in red requested from Reg 9 about current sampling effort for Lake Powell.

Bill Keener

Office of Public Affairs

U.S. EPA - Region 9

San Francisco, CA

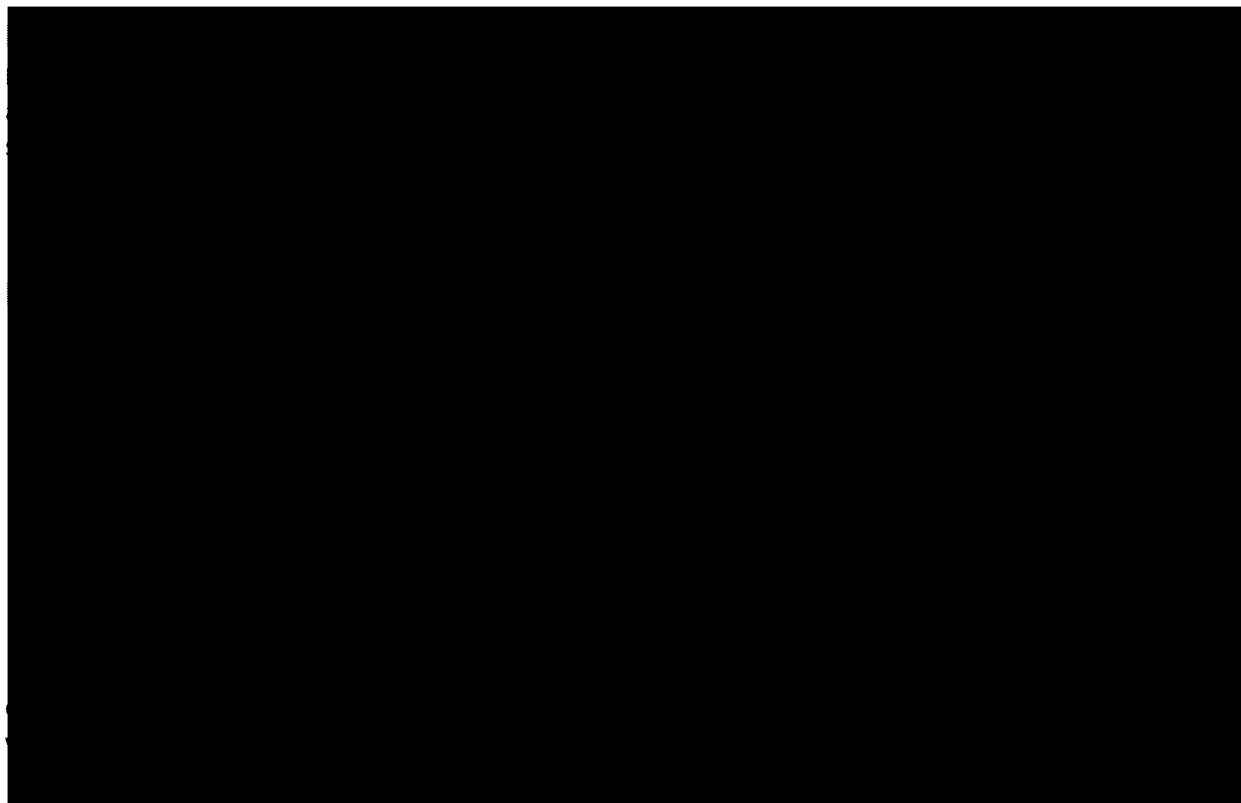
Phone: (415) 972-3940

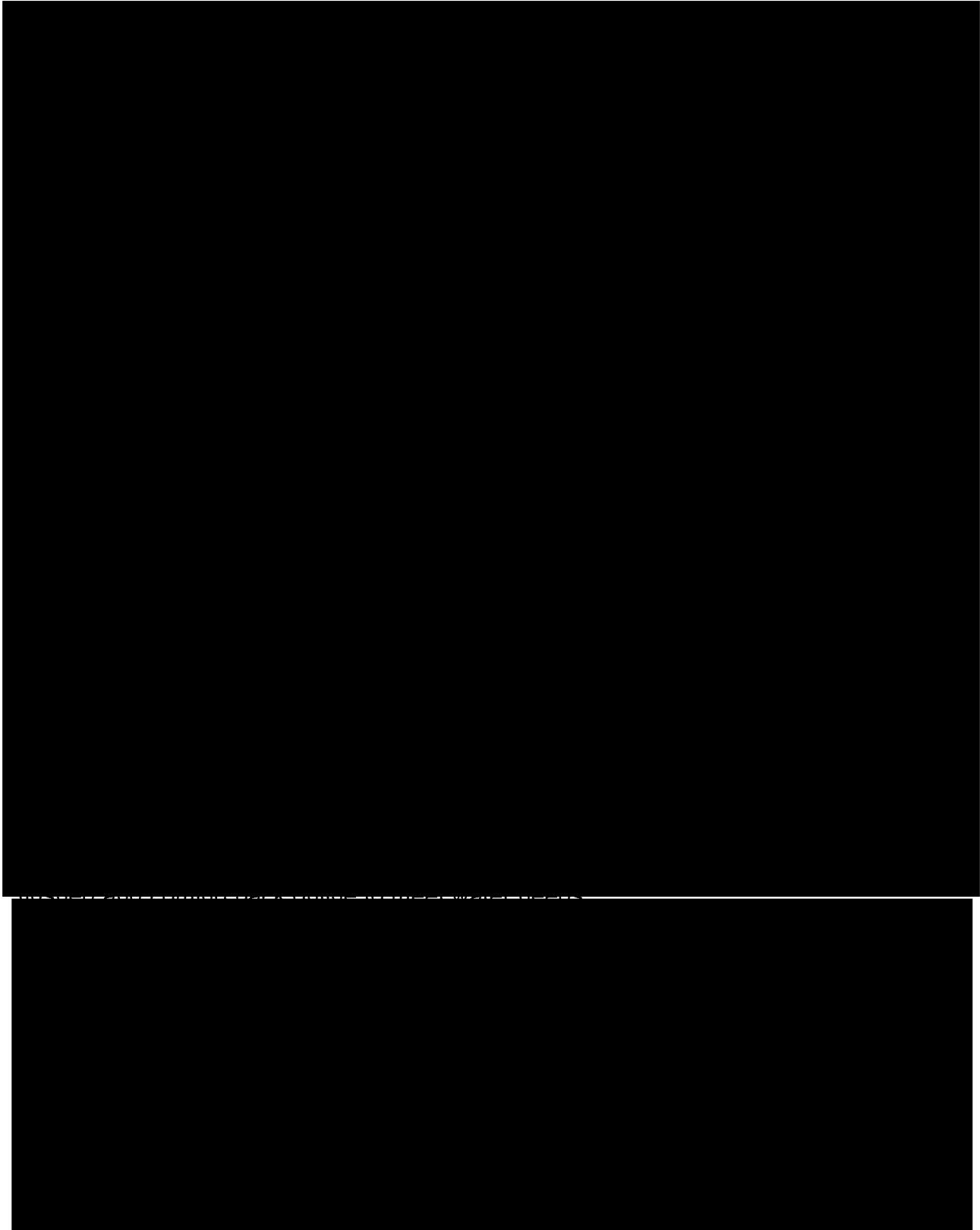
From: Harrison, Melissa

Sent: Saturday, August 15, 2015 11:18 AM

To: Keener, Bill; Tenley, Clancy; Gray, David; Purchia, Liz; McClain-Vanderpool, Lisa; Smith, Paula; Acevedo, Janie

Subject: Draft EPA press update for today





EPA is not offering immediate reimbursements for damages from the Gold King Mine water and it is not true that if someone submits a claim that by doing so they limit or waive future rights.

EPA's Federal Tort Claims Act (FTCA) regulation provides that a person may amend their claim form at any time prior to reaching a settlement with EPA, or before the person files a lawsuit under the FTCA. Additionally, a person claiming an injury or damage has two years from the date of the event to file a claim with EPA under the FTCA. (40 CFR Part 10).

Standard Form 95 is not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim. Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property. In addition, if a sum certain is not specified in Standard Form 95 block 12d, or in accompanying information, a submission cannot be considered a valid presentation of a claim.

Although EPA's regulations state that it has six months to resolve a claim, EPA will make every effort to respond to Gold King Mine release claims as soon as possible. Claims must be presented to EPA within two years after the claim accrues.

Complete the fillable PDF version of Standard Form 95.

